

REMARKS

Claims 4-9, 13, 30, 31, 33-35, and 37 are pending in the application. Each of these claims is included in the listing of claims, in their allowable form, in the paper filed June 2, 2010.

Reissue Oath/Declaration

The Office Action rejected the claims solely as being based upon a defective reissue declaration. With this paper, Applicants are submitting a Reissue Application Declaration executed by the inventors, thereby obviating the rejection. Accordingly, Applicants respectfully request that the Office issue a Notice of Allowance.

Ownership Interest

As an attachment to this paper, Applicants are filing a new Consent of Assignee. This new Consent of Assignee is intended to replace the Consent of Assignee filed September 5, 2007, with a missing application title. A copy of an ownership Statement Under 37 C.F.R. 3.73(b) (PTO/SB/96) is also included. The ownership Statement is unchanged from when it was filed on September 5, 2007.

Contents of Reissue Application

The Office Action requests that the Applicants file the original abstract, specification and claims, and drawings. With the responses filed on May 17, 2007 and September 5, 2007, Applicants submitted the Specification and claims of U.S. Patent No. 5,865,846 in double column format, of which this application is a continuation reissue application, and Applicants submitted a copy of the drawings. However, Applicants did not submit a copy of the Abstract. In order to ensure the application continues to move forward, by this response, Applicants are resubmitting a copy of the Specification, Claims, and Drawings, and also submitting a copy of the Abstract. Accordingly, as attachments to this paper, Applicants submit:

- a) Specification of U.S. Patent No. 5,865,846 in double column format, of which this application is a continuation reissue application;
- b) Claims of U.S. Patent No. 5,865,846 in double column format, of which this application is a continuation reissue application;
- c) Drawings of U.S. Patent No. 5,865,846; and
- d) Abstract of U.S. Patent No. 5,865,846.

The specification was amended at least on September 5, 2007 to include a cross-reference to the parent reissue application. The claims were last amended in the response filed June 2, 2010.

Conclusion

As a result of the foregoing, it is respectfully asserted that all pending claims are in condition for allowance. If the Examiner believes a telephone conversation would be useful for advancing prosecution of this application, she is invited to telephone the undersigned at 972-739-6969.

No fees, including extension of time fees, are believed necessary for consideration of the present paper. If any fees, including claim fees and extension of time fees, are necessary for the proper submission of this paper, the extension of time is hereby requested, and the Commissioner is hereby authorized to charge any fees, including claim fees and those for the extension of time, to Haynes and Boone, LLP's Deposit Account No. 08-1394.

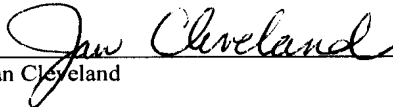
Respectfully submitted,



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Dated: 9-15-10

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Client Matter No.: PC 904.08
Document No.: R-260306

Certificate of Service
I hereby certify that this correspondence is being filed with the U.S. Patent and Trademark Office via EFS-Web on <u>September 15, 2010</u>
 Jan Cleveland